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ENERGY AND COMMERCE COMMITTEE

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TELECOMMUNICATIONS AND  
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# Congress of the United States

## House of Representatives

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October 3, 2001

The Honorable Michael K. Powell  
Chairman, Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Mr. Chairman:

We write with respect to an innovative new wireless service developed by Northpoint Technology. As you may know, Northpoint's four Broadwave affiliates in Massachusetts could offer meaningful competition across a number of markets in dire need of additional consumer choices. Northpoint could provide near term competition in the video programming marketplace, as well as in the telecommunications services marketplace with its plan to offer consumers broadband access to the Internet. In addition, Northpoint also intends to provide consumers with access to all local television stations, which could be used to supplement DBS satellite service to millions of consumers in those geographic areas where DBS does not yet offer so-called "local-to-local" service.

In short, we write to reiterate our strong support for the Commission to promptly conclude its consideration of the Broadwave license applications, which have now been pending for over 30 months. We commend the Commission for moving forward on this matter last November by establishing a new MVDDS service, and we now encourage the FCC to now move expeditiously to license this new service.

Moreover, we are concerned that the Commission may consider allocating these licenses through an auction process. We believe that distributing these licenses via auctions is not only unwarranted, but needlessly draws out a regulatory process that has already taken too long. We also note that consumer groups and local broadcast station owners have filed comments specifically urging rejection of an auction in this case.

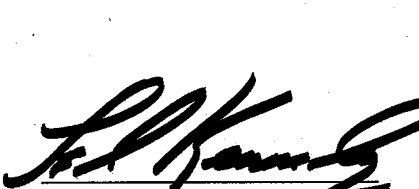
The Honorable Michael K. Powell

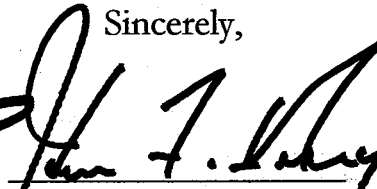
October 3, 2001

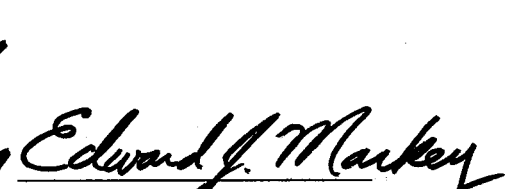
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We are eager to see that the people of Massachusetts have the opportunity to benefit from robust competition and technological innovation. Kindly place a copy of this letter in any appropriate public file related to this proceeding. Thank you in advance for your time and attention to our request to conclude the processing of the Broadwave license applications.

Sincerely,

  
Edward M. Kennedy  
U.S. Senator

  
John F. Kerry  
U.S. Senator

  
Edward J. Markey  
Member of Congress